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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,287	04/21/2004	Daiki Nakatsuka	501.43790X00	6381

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/828,287	Applicant(s) NAKATSUKA, DAIKI	
	Examiner Jean M. Corrielus	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the preliminary amendment filed in August 6, 2004, in which claims 1-18 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) filed on April 21, 2004 and October 06, 2004 complies with the provisions of M.P.E.P 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Drawings

3. Applicants are required to furnish the formal drawings in response to this office action if *the formal drawings have not been submitted*. No new matter may be introduced in the required drawings. Failure to timely submit a drawing will result in ABANDONMENT of the application.

Specification

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Objections

5. Claims 1 and 18 are objected to because of the following informalities: it is advised to amend claims 1 and 18 to replace "a computer" with "a first computer" in order to be consistent with the rest element in the claim. If there is a second computer there be must a first computer. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4 and 6-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites “that”. Pronouns are not permitted, only what is being referred by “that” should be set forth in the claim. Claim 6 recites (hereinafter, “second information”) such language is not permitted in the claim. Applicants are advised to amend the claim so solve the 112 rejection set forth in the claim.

7. Claim 4 recites the limitation “the command” in line 2. There is insufficient antecedent basis for this limitation in the claim. Claim 7 recites “the second information”. There is insufficient antecedent basis for this limitation in the claim because there is no first information recited in the claim

Claim Rejections - 35 USC § 103

8. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luke et al., (hereinafter “Luke” US 2004/0133634 and Dobberpuhl et al., (hereinafter “Dobber”) US Patent no. 6,754,718.

As to claims 1 and 18, Luke discloses the claimed “a computer” ([0008]); “a storage system connected to the computer over a network” a network storage (NAS), and storage area network (SAN) ([0010]); and “a second computer connected to the computer and the storage system” ([0075]), “wherein the second computer includes information about the storage system, selects in

Art Unit: 2162

response to a request from the computer, the storage system meeting the request based on the information and transmits a command to the selected storage system for creating a storage area for use by the computer based on the computer” ([0018]). However, Luke does not explicitly disclose the claimed “wherein the storage system creates the storage area meeting the request of the computer in accordance with the command, and forwards a creation completion notice to the second computer and wherein after receiving the notice, the second computer notifies the computer of path information for the storage area created by the storage system”.

On the other hand, Dobber discloses the claimed “wherein the storage system creates the storage area meeting the request of the computer in accordance with the command, and forwards a creation completion notice to the second computer and wherein after receiving the notice, the second computer notifies the computer of path information for the storage area created by the storage system” (col.5, lines 58-67; col.6, lines 2-48). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the references, wherein the storage processing (see Luke’s fig. 1) would incorporate the use of creating a storage area meeting the request. One having ordinary skill in the art would have found it motivated to use such a combination for the purpose of limiting access to certain data locations within the storage area thus providing security.

As to claim 2, Dobber discloses the claimed “wherein information about the storage system is information about a security level of the storage system, wherein the request of the computer is a request for creating the storage area possible to secure the security level to be high” (col.6, lines 23-49).

As to claim 3, Luke discloses the claimed “wherein the information about the security level is information about whether or not a device in the storage system used for connection with the network can execute an IPSec process ([0982]), Dobber discloses the claimed wherein the high security level means that the device is capable of the IPSec process” (col.3, lines 25-29; col.6, lines 23-48).

As to claim 4, Dobber discloses the claimed “interrelating the storage area to the device capable storage system, wherein of the IPSec process located in the storage system, wherein in accordance with the command, the storage system interrelates the created storage area to of the IPSec process, wherein the second computer notifies the computer of address information as the path information in the network assigned to the device capable of the IPSec process” (col.5, lines 58-67; col.6, lines 2-48).

As to claim 5, Dobber discloses the claimed “wherein the command is a command for interrelating the storage area to the device capable of the Ipsec process plurality found located in the storage system, wherein in accordance with the command, the storage system interrelates the created storage area to of the IPSec process wherein the devices capable the second computer notifies the computer of address information as the path information in the network assigned to each of the devices capable of the IPSec process” (col.5, lines 58-67; col.6, lines 2-48).

Art Unit: 2162

As to claim 6, Luke discloses the claimed “wherein the second computer further includes information about the computer connected to the network that can use the storage area in the storage system, wherein the computer issues a request for forwarding to the second computer, information about the storage area available therefor, wherein the second computer transmits, to the computer having issued the forwarding request, the path information to the storage area in the storage area that is available for the computer based on the second information” ([0018]).

As to claim 7, Dobber discloses the claimed “wherein after receiving the notice the second computer registers, with the second information, information about the computer having requested creation of the storage area when notifying the computer of the path information about the storage area created in the storage system” (col.6, lines 2-48).

As to claim 8, Dobber discloses the claimed “wherein the information about the storage system is information about the security level of the storage system wherein the request of the computer is a request for creating the storage area, wherein the second computer commands the storage system to create the storage area depending on the security level of the computer” (col.6, lines 20-48)

As to claim 9, Dobber discloses the claimed “wherein the information about the security level is information about whether or not a device in the storage system or the computer used for connection with the network can execute an IPSec process, wherein when the security level of the computer is in a level having the device capable of the IPSec process, the command

Art Unit: 2162

is a command for interrelating the storage area to the device capable of the IPsec process out of others located in the storage system” (col.3, lines 25-29; col.6, lines 23-48).

As to claim 10, Luke discloses the claimed “wherein the information about the storage system is information about whether or not a device in the storage system used for connection with the network can execute an Ipsec process, wherein the request of the computer is a request for creating the storage area, wherein based on the request for creating the storage area, the second computer transmits a command to the storage system for creating the storage area interrelating the device capable of the IPsec process located in the storage system, wherein in accordance with the command the storage system interrelates the created storage area to the device capable of the IPsec process, wherein the second computer notifies the computer of address information as the path information in the network assigned to the device capable of the IPsec process” ([0018]).

As to claim 11, Luke discloses the claimed “wherein the information about the storage about whether or not a device in the system is information storage system used for connection with the network can execute an Ipsec process, wherein the request of the computer is a request for creating the storage area, wherein based on the request for creating the storage area, the second computer transmits a command to the storage system for creating the storage area, wherein in accordance with the command, the interrelates the created storage area of the Ipsec process plurality found, the second computer notifies the computer of address information as the path

Art Unit: 2162

information in the network assigned to each of the devices capable of the IPsec process”

([0018]).

As to claim 12, Luke discloses the claimed “wherein the information about the storage system is information about whether or not a device in the storage system used for storage system to the device capable wherein connection with the network can execute an Ipsec process, wherein the request of the computer is a request for creating the storage area, wherein based on the request for creating the storage area, the second computer transmits a command to the storage system for creating the storage area, wherein in accordance with the command, the storage system area to the device capable interrelates the created storage of the IPsec process and to the device process, wherein incapable of the IPsec the second computer notifies the computer of address information as the path information in the network assigned to the device capable of the IPsec process and address information in the network assigned to the of the IPsec process” ([0018]).

As to claim 13, discloses the claimed “wherein the computer selects a piece of the address information plurality received from the second computer to make access to the storage area of the storage system” (col.3, lines 25-29; col.6, lines 23-48).

As to claim 14, discloses the claimed “wherein when the computer is in need of the high security level for a process, the computer selects the address information corresponding to the device capable of the IPsec process to make access to the storage area in the storage system” (col.3, lines 25-29; col.6, lines 23-48).

Art Unit: 2162

As to claim 15, Dobber discloses the claimed “a control section; memory; and “an interface to be connected to a network having a connection with the computer and the storage system, wherein the memory includes information indicating whether or not a device in the storage system to be connected to the network is capable of an IPSec process, wherein when the computer makes a request to create a storage area in the storage system over the interface, the control section transmits, to the storage system, a command for creating the storage area to interrelates to the device capable of the IPSec process based on the request, wherein after receiving a completion notice from the storage system, the computer is notified of address information assigned to a device capable of the IPSec process ([0018]).

As to claim 16, Luke discloses the claimed “a control section, memory”; and “an interface to be connected to a network having a connection with the management computer and the storage system, wherein is requested over the interface to create a storage area in the storage system, and the control section stores in the memory information about a plurality of addresses forwarded from the management computer, wherein the management computer a piece is selected from the information about the address to make access to the storage area in the storage system” ([0927-0928]).

As to claim 17, Dobber discloses the claimed “wherein the computer and the storage system are each provided plurality” (col.3, lines 16-27).

Art Unit: 2162

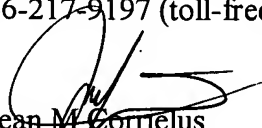
Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032.

The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus
Primary Examiner
Art Unit 2162

September 5, 2005